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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,727	02/04/2004	Hideyuki Hayashi	17412	4048
23389 7590 08/11/2008 SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530			EXAMINER QUIETT, CARRAMAH J	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 08/11/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Amendment

1. The amendment(s), filed on 07/16/2008, have been entered and made of record. Claims 1-41 are pending. Claims 11-19, 23, and 33-41 have been withdrawn.

Response to Arguments

2. Applicant's arguments filed 07/16/2008 have been fully considered but they are not persuasive.

The Examiner has rejected claims 1-3, 20-22, and 24-25 under 35 U.S.C. 102(e) as being anticipated by Hunter (U.S. Pat. #6738572 – hereinafter Hunter). The Applicant asserts that Hunter fails to disclose or suggest a mobile communications terminal equipped with a camera. The Examiner respectfully disagrees. As shown in figure 2, Hunter illustrates a receiver 110 and a transmitter 112 which respectively communicates (sends 14 and receives signals) with the transmitter unit 16 (remote transmitter 116 in the description) and the receiver 118. Also, please read col. 4, lines 61-65. Based on the teaching of Hunter, the Examiner maintains the 102 rejections to claims 1, 2, 3, 20, 21, 22, 24, and 25.

The Examiner has rejected claims 4, 5, 26, and 27 under 35 U.S.C. 103(a) as being unpatentable over Hunter in view of Masuda (Pub. No. US 2002/0118797 – hereinafter Masuda). The Applicant asserts that Hunter in view of Masuda fail to disclose or suggest a camera function controller for selectively inhibiting a number of the plurality of camera functions. Examiner respectfully disagrees. Then, Hunter teach that the unit further comprises a disable module which, when actuated, is arranged to disable one or more of the functions of the portable camera in accordance with data stored on a smart card (col. 4, lines 50-54). [Emphasis Added]

Additionally, the Applicant asserts that, "...the combination of Hunter and Masuda would defeat the purpose of the Masuda device, which is to provide a way to prevent a video feed from being disrupted by an attacker when a call to an emergency center is initiated. In the alternative, the Masuda reference would defeat the proper operation of the Hunter camera, in so far as preventing the camera from being entirely disabled at times when an emergency call is initiated. Therefore, one of ordinary skill in the art would not be motivated to combine the teachings of Hunter and Masuda." The Examiner respectfully disagrees. Combining the emergency feature of Masuda with the portable camera of Hunter will enhance the features of the portable camera. The user of the portable camera will have more control over the operation of the camera in an emergency situation. For instance, one or more of the functions of the portable camera in Hunter is disabled by "the thug", the emergency feature of Masuda overrides the disabling, thereby helping the user in an emergency situation. Please read Hunter, col. 4, lines 50-65 and Masuda pages 2-3, paragraphs [0045]-[0047]. Accordingly, the Examiner maintains the rejections to claims 4, 5, 26, and 27.

The Examiner has rejected claims 6 and 28 under 35 U.S.C. 103(a) as being unpatentable over Hunter in view of Steinburg et al. (U.S. Pat. #6,433,818 – hereinafter Steinberg). Also, claims 7-9 and 29-31 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Hunter in view of Steinburg and Masuda. The Applicant asserts that, "None of the cited references disclose or suggest a face image memory for previously registering a face image of each authorized user, wherein, when an input image picked up by the camera matches a face image registered in the face image memory in a case of inhibition of a predetermined camera function, the camera function controller releases the inhibition of the predetermined camera

function.” The Examiner respectfully disagrees. In col. 9, lines 24-26, Steinburg teaches that the authorized user can activate the camera by positioning his (or her) eye at the viewfinder. Steinburg’s teaching of sensing the eye satisfies the claims regarding the limitation “facial recognition” because the eye is apart of the face. Please read col. 9, lines 14-37 and see figure 13 of Steinburg. Accordingly, the Examiner maintains the rejections to claims 6-9 and 28-31.

The Examiner has rejected claims 10 and 32 under 35 U.S.C. 103(a) as being unpatentable over Hunter. The Applicant asserts that Hunter fails to disclose or suggest a mobile communications terminal equipped with a camera. The Examiner respectfully disagrees. As shown in figure 2, Hunter illustrates a receiver 110 and a transmitter 112 which respectively communicates (sends 14 and receives signals) with the transmitter unit 16 (remote transmitter 116 in the description) and the receiver 118. Additionally, Hunter teaches a portable camera which receives radio signals from remote transmitter units. Please read col. 4, lines 1-65. Accordingly, the Examiner maintains the rejections to claims 10 and 32.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carramah J. Quiett whose telephone number is (571)272-7316. The examiner can normally be reached on 8:00-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Carramah J. Quiett/
Examiner, Art Unit 2622
August 5, 2008

*/Ngoc-Yen T. VU/
Supervisory Patent Examiner, Art Unit 2622*